OR 1082 (4)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR.

W.P. No. 4017 /2004

PETITIONER : A.P.Vaidya s/o Dr. S.S.Vaidya, age 41 years, Sub Engineer, P.H.E. Sub Division No. 1 Bilaspur, District Bilaspur,C.G.

P.H. No. 410/04 Presented by Shri A.K. Prasad dated 20/10/04

V E R S U S

RESPONDENTS : 1. The State of Chhattisgarh, through the Secretary, Public Helth & Engineering Department, Raipur,C.G.

2. Assistant Engineer, Public Health & Engineering Division Bilaspur.

3. Shri Arun Kumar Bhargav, Sub Engineer, Office of Assistant Engineer, P.H.E. Sub Division Bhopalpattanam, District Dantewada, C.G.

FILED 20/10/04

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

WP 4017/04

मामला क्रमांक ..... **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	25-11-2004 Shri A.K. Prasad, counsel for the petitioner. Shri V.V.S. Murthy, Dy. Advocate General with Shri Vinod Shrivastava, Govt. Advocate for the State/respondents No.1 and 2. None for respondent No.3. Application for urgent hearing is allowed. Heard. Learned counsel for the petitioner submits that the matter relates to transfer of the petitioner. He further submits that the petitioner has been transferred from Bilaspur to Bhopalpattanam, District Dantewada vide order dated 1-10-2004 (Annexure-P/1). He also submits that the respondent No.3 Arun Kumar Bhargav has been transferred from Bhopalpattanam, District Dantewada to Bilaspur on his own expenses. He also submits that to accommodate the respondent No.3 at Bilaspur the petitioner has been transferred on administrative ground. He also submits that the petitioner has submitted representation (Annexure-P/9) before the respondent authorities but the same has not yet been considered. He also submits that for the present the petitioner may be given an opportunity of filing the detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law. Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed	

(30)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 4017/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

representation raising his grievances before the competent authority of the respondents along with a copy of the petition and this order, within 15 days, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within two months from the date of receipt of the representation.

Learned counsel for the petitioner submits that the petitioner has not been relieved and the respondent No.3 has not joined in place of the petitioner. He prays that the petitioner may be allowed to continue.

It is directed that if the petitioner has not been relieved and the respondent No.3 has not joined in place of the petitioner, the petitioner may be allowed to continue till the representation is decided. It is made clear that if the petitioner has already been relieved or the respondent No.3 has already joined in place of the petitioner, this order will not entitle the petitioner to rejoin at the earlier place of posting.

With the aforesaid observations, this petition stands disposed of.

Consequently M.W.P.No.4414/2004 also stands disposed of.

Sd/-
Fakhruddin
Judge

Gowri